

FILED

FEB 03 2014

CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

Magistrate Docket No.

COMPLAINT FOR VIOLATION OF:

Title 8, USC 1326 Deported Alien Found In The United States

'14 MJ 0388

The undersigned complainant being, duly sworn, states:

On or about February 1, 2014, within the Southern District of California, defendant, Miguel RODRIGUEZ-Garcia, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

James L. Trombley
Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE

THIS 3rd DAY OF February, 2014 .

KAREN S. CRAWFORD

United States Magistrate Judge

00A 2/1


CONTINUATION OF COMPLAINT:**Miguel RODRIGUEZ-Garcia****PROBABLE CAUSE STATEMENT**

I declare under the penalty of perjury that the following statement is true and correct:


On February 1, 2014, Border Patrol Agent J. Harnden was working in the Brown Field Border Patrol Station's area of operations and responded to a seismic intrusion device activation near Dulzura, California. Agent Harnden began walking south on a trail until he observed five individuals concealing themselves within rocks and vegetation. This area is approximately one mile north of the United States/Mexico International Boundary and approximately seven miles west of the Tecate, California Port of Entry. Agent Harnden identified himself as a Border Patrol Agent and questioned each individual as to their immigration status. All five individuals, including one later identified as defendant Miguel RODRIGUEZ-Garcia, stated that they were citizens of Mexico without immigration documents allowing them to enter or remain in the United States legally. Agent Harnden placed all five individual, including RODRIGUEZ under arrest at approximately 5:05 PM.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on January 22, 2014 through San Ysidro, California. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on February 2, 214 at 10:00 AM.


Amanda L. Alba
Border Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of one page, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on February 1, 2014, in violation of 8 USC 1326.


KAREN S. CRAWFORD
U.S. Magistrate Judge

10:00, Feb 2, 2014
Date/Time